



**US Army Corps  
of Engineers®**

Nashville District

# Public Notice

Public Notice No. 03-89

Date: November 14, 2003

Application No. 200300908

Please address all comments to:  
Nashville District Corps of Engineers  
Regulatory Branch  
3701 Bell Road, Nashville, TN 37214  
Attn: Floyd M. Carnes

## JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS AND COMMONWEALTH OF KENTUCKY

SUBJECT: Proposed Fill Associated with Fishing Jetty

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA)**. Before a permit can be issued, certification must be provided by the Kentucky Natural Resources and Environmental Protection Cabinet, Division of Water pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Kentucky Department of Fish and Wildlife  
No. 1 Game Farm Road  
Frankfort, Kentucky 40601

LOCATION: Little River Mile 3.0, Left Bank, Lake Barkley, Tract 2814, Trigg County, Kentucky. (USGS CANTON, KY. Quadrangle; Longitude: 87-56-31.5; Latitude: 36-51-5.7)

DESCRIPTION: The proposed work consists of placing approximately 915 cubic yards of clean Class 2 limestone riprap fill material below Elevation 360.0. Elevation 359.0 is the Normal Summer Pool (NSP) elevation for Lake Barkley. The "L" shaped fishing jetty would extend lakeward approximately 65' and parallel the shoreline for approximately 50'. The top width of the jetty would be 10', with 2:1 side slopes. There would be an 8' wide walkway on top of the jetty. In addition, a 30' long, 24" wide galvanized steel culvert would be placed in the jetty to allow water to circulate from the confined portion of the jetty. The jetty would provide free public fishing to Lake Barkley and is designed to comply with the American Disabilities Act accessibility requirements. The proposed fishing jetty would be located within Lake Barkley State Resort Park.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

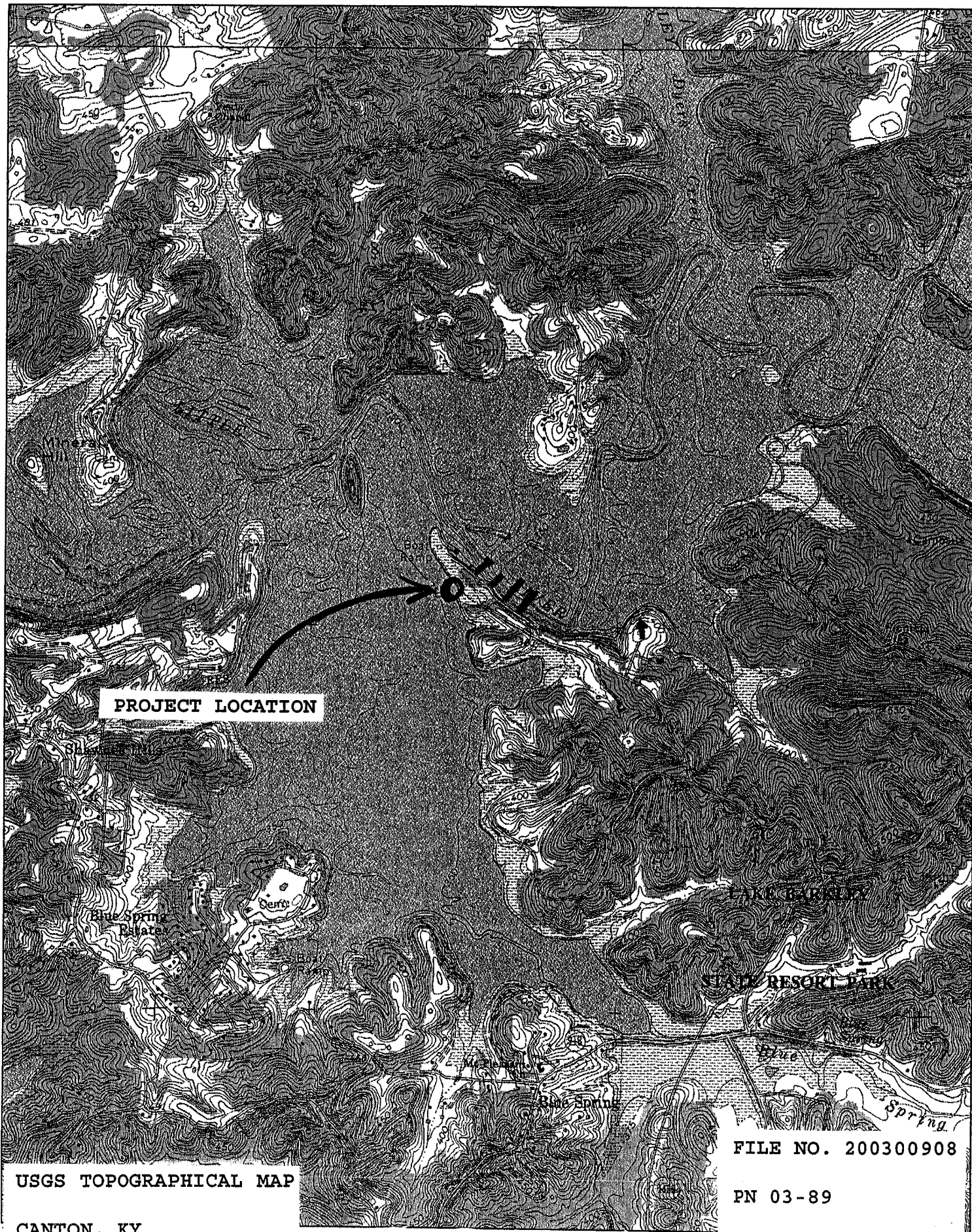
Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **December 14, 2003**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Floyd M. Carnes, at the above address, telephone (615) 369-7503.





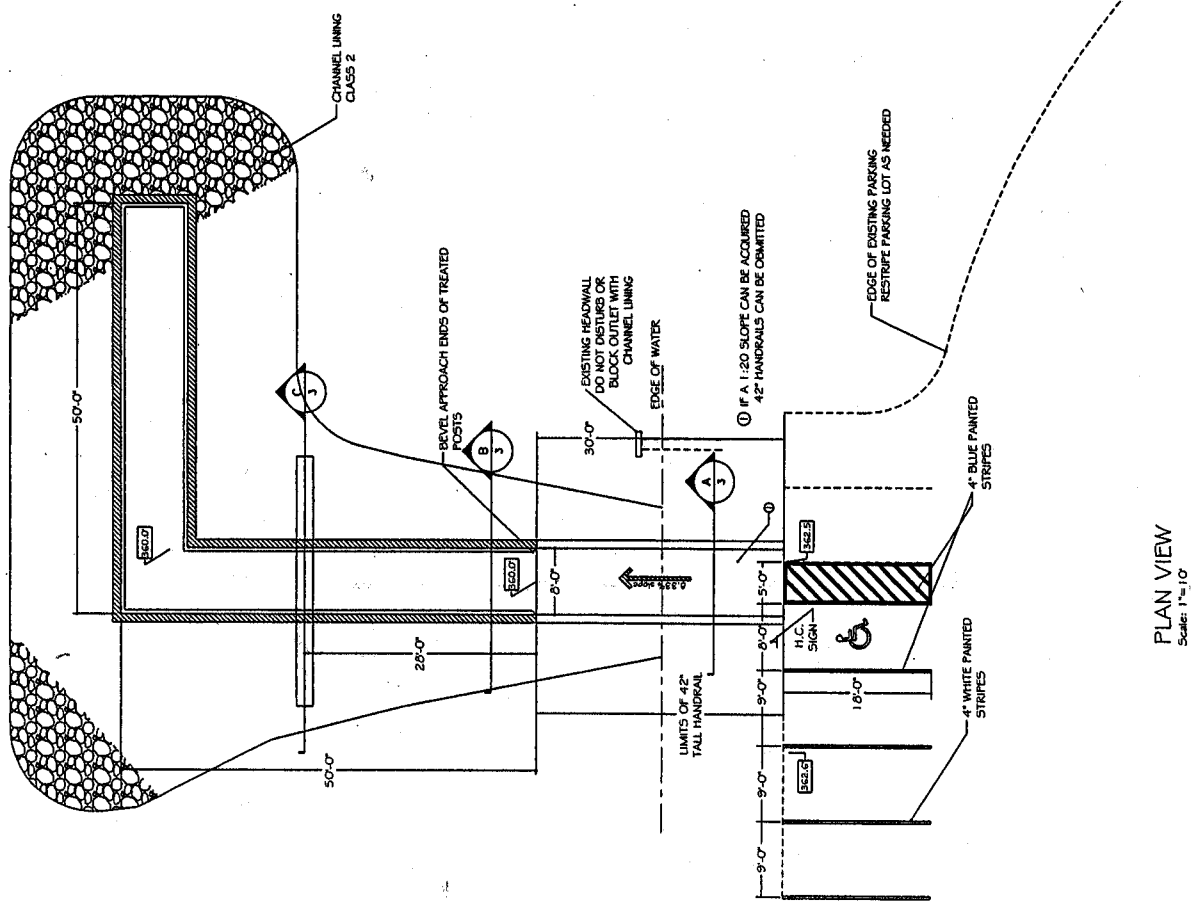
USGS TOPOGRAPHICAL MAP

CANTON, KY

FILE NO. 200300908

PN 03-89

EXHIBIT A



PLAN VIEW

LAKE BARKLEY STATE PARK FISHING JETTY  
TRIGG COUNTY, KENTUCKY

COMMONWEALTH OF KENTUCKY

KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES  
ENGINEERING DIVISION  
#1 GAME FARM ROAD  
FRANKFORT, KENTUCKY

**DRAWING NO.**

2 OF 3

N/A  
SCALE

FILE NAME
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**LAKEBARKLEY**

DRAWN BY

MEH	DATE
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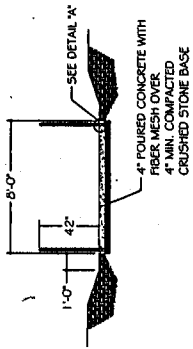
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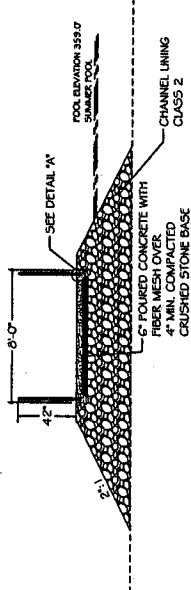
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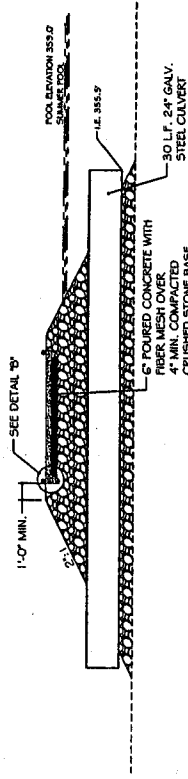
**EXHIBIT B**



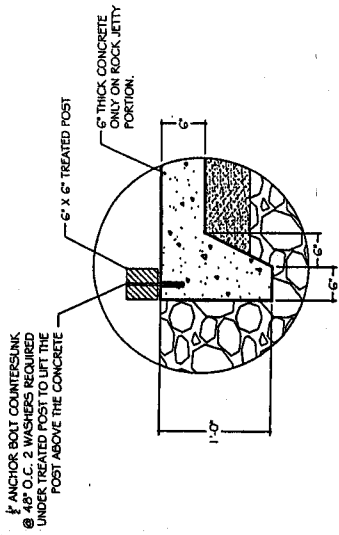
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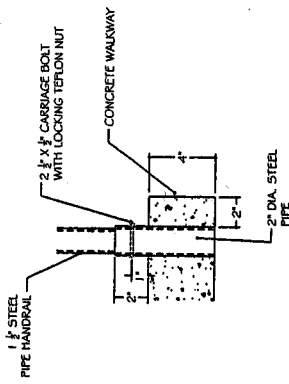
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SECTION C-3  
Scale: 1"=5'



DETAIL 'B'  
Scale: N.T.S.



DETAIL 'A'  
Scale: 1"=5'



<div> <div>SECTIONS AND DETAILS</div> <div>LAKE BARKLEY STATE PARK FISHING JETTY</div> <div>TRIGG COUNTY, KENTUCKY</div> </div>	DRAWING NO.	3 OF 3
	SCALE	N/A
	FILE NAME	LAKEBARKLEY
<div>COMMONWEALTH OF KENTUCKY</div> <div>KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES</div> <div>ENGINEERING DIVISION</div> <div>#1 GAME FARM ROAD</div> <div>FRANKFORT, KENTUCKY</div>	DRAWN BY	MEH
	DATE	6/05/03

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EXHIBIT C